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*Attorneys for Plaintiffs Theresa Beiner and  
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Inc., et al., No. 3:18-CV-1953*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LAUREN PRICE, on behalf of herself and  
all others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., and CAMBRIDGE  
ANALYTICA, LLC

Defendants.

**CASE NO. 3:18-CV-01732-VC**

**PLAINTIFFS THERESA BEINER AND  
BRANDON HAUBERT'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES SHOULD  
BE RELATED**

(Civil L.R. 3-12(b) and 7-11)

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

Pursuant to Civil Local Rules 3-12(b) and 7-11, Theresa Beiner and Brandon Haubert, plaintiffs in the action captioned *Beiner, et al. v. Facebook, Inc., et al.*, No. 3:18-CV-1953 (N.D. Cal.) (“Beiner Action”), respectfully move this Court to consider whether the following actions filed in the Northern District of California:

1. *Kooser et al. v. Facebook, Inc. et al*, No. 4:18-cv-02009-YGR (“Kooser Action” filed Apr. 2, 2018);
2. *Labajo v. Facebook Inc., et al.*, No. 4:18-cv-02093-KAW (“Labajo Action” filed Apr. 5, 2018);
3. *Picha v. Facebook Inc., et al.*, No. 3:18-cv-02090-SK (“Picha Action” filed Apr. 5, 2018);
4. *Wing et al. v. Facebook Inc.*, No. 3:18-cv-02122-JCS (“Wing Action” filed Apr. 6, 2018);
5. *Johnson et al. v. Facebook, Inc.*, No. 3:18-cv-02127-SI (“Johnson Action” filed Apr. 9, 2018); and
6. *Gerena v. Facebook, Inc.*, No. 3:18-cv-02201-MEJ (“Gerena Action” filed Apr. 12, 2018)

are related to the six actions pending in this District that have already been held to be related cases (*see* Price Action ECF No. 27, relating *Price v. Facebook, Inc., et al.*, No. 3:18-cv-01732 (filed March 20, 2018), *Rubin v. Facebook, Inc., et al.*, No. 3:18-cv-01852 (filed March 26, 2018), *Gennock et al. v. Facebook, Inc., et al.*, No. 4:18-cv-01891 (filed March 27, 2018), *O’Kelly v. Facebook, Inc., et al.*, No. 3:18-cv-01915 (filed March 28, 2018), *Haslinger v. Facebook, Inc., et al.*, No. 4:18-cv-01984 (filed March 30, 2018), and the Beiner Action (collectively, “Related Actions”).

Under Civil Local Rule 3-12(a), actions are related when: “(1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome, duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” The Kooser, Labajo, Picha, Wing, Johnson, and Gerena Actions should be related to the Related Actions because these cases concern the same or similar parties, i.e., Facebook, Inc. All of the actions relate to the massive unauthorized exfiltration of Facebook user data for use by Cambridge Analytica for “psychometric” targeted advertising

1 during the 2016 presidential election campaign. Generally, plaintiffs in the Related Actions  
 2 allege that Facebook allowed unauthorized individuals to gain access to its data network storing  
 3 the private personal information of tens of millions of United States consumers. The exfiltrated  
 4 information was used to create targeted advertising for what has been described as a campaign of  
 5 “psychological warfare” during the 2016 presidential election. All of the actions allege violations  
 6 of various state and federal statutes and common law principles by Facebook relating to its  
 7 harmful policies and conduct and all seek certification of a similar class of victims. Also relevant  
 8 to this administrative motion, on March 29, 2018, Plaintiffs in the Beiner Action filed a Motion  
 9 for Transfer of Actions to the Northern District of California for Consolidation Pursuant to 28  
 10 U.S.C. §1407 before the U.S. Judicial Panel on Multi-District Litigation, which is currently  
 11 pending. In addition, on April 9, 2018 the Honorable Yvonne Gonzalez Rogers entered an order  
 12 of referral to this Court to consider whether the Kooser Action is related to the Price Action.  
 13 (Price Action ECF No. 30).

14 Because the Kooser, Labajo, Picha, Wing, Johnson, and Gerena Actions and the Related  
 15 Actions “concern substantially the same parties, property, transaction or event,” these actions are  
 16 related within the meaning of Civil Local Rule 3-12(a)(1). Granting the requested relief will  
 17 promote efficiency and judicial economy and will avoid “unduly burdensome duplication of labor  
 18 and expense or conflicting results.” Civ. L.R. 3-12(a)(2).

19 Accordingly, the Court should grant this administrative motion and issue the  
 20 accompanying proposed order holding that:

- 21 (1) The Kooser, Labajo, Picha, Wing, Johnson, and Gerena Actions are related to the  
 22 actions *Price v. Facebook, Inc., et al.*, No. 3:18-cv-01732, *Rubin v. Facebook,*  
 23 *Inc., et al.*, No. 3:18-cv-01852, *Gennock et al. v. Facebook, Inc., et al.*, No. 4:18-  
 24 cv-01891, and *O’Kelly v. Facebook, Inc., et al.*, No. 3:18-cv-01915, *Haslinger v.*  
 25 *Facebook, Inc., et al.*, No. 4:18-cv-01984, and *Beiner, et al. v. Facebook, Inc., et*  
 26 *al.*, No. 3:18-CV-1953, under Civil Local Rule 3-12(a); and
- 27 (2) The Kooser, Labajo, Picha, Wing, Johnson, and Gerena Actions should be  
 28 assigned to this Court’s calendar under Civil Local Rule 3-12(f).

1 A copy of this motion is being lodged and served pursuant to Civil Local Rules 3-12 and  
2 7-11 in each of the Related Actions and in the Kooser, Labajo, Picha, Wing, Johnson, and Gerena  
3 Actions.

4  
5 Dated: April 13, 2018

By: /s/ David T. Rudolph

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